Defense Human Resources Activity (DHRA)

Civil Liberties Awareness Training

Message from the DHRA

On behalf of the Defense Human Resources Activity (DHRA) team, welcome to this training. DHRA is the premier provider of human resources management services to Departmental leaders, civilians, military members, their families, and retirees. We must ensure that DoD protects individual privacy and civil liberties when carrying out those missions. One of the ways that we do that is making sure that personnel are adequately trained.

Congratulations for taking an important step to improve yourself as a privacy or civil liberties professional. We trust that you will find this training beneficial in advancing your knowledge.

We value your feedback so please provide us any information that you think will improve this training by contacting the DHRA Chief Civil Liberties Officer or Primary Civil Liberties Point of Contact. For more information, please visit our website at www.dhra.mil. Thank you.

Course Description

Civil Liberties are fundamental rights and freedoms protected by the Constitution.

DoD's Civil Liberties Program is responsible for ensuring that DoD appropriately considers civil liberties in its actions.

In this training, we'll learn more about civil liberties, and about the DoD Civil Liberties Program.

Training Goals

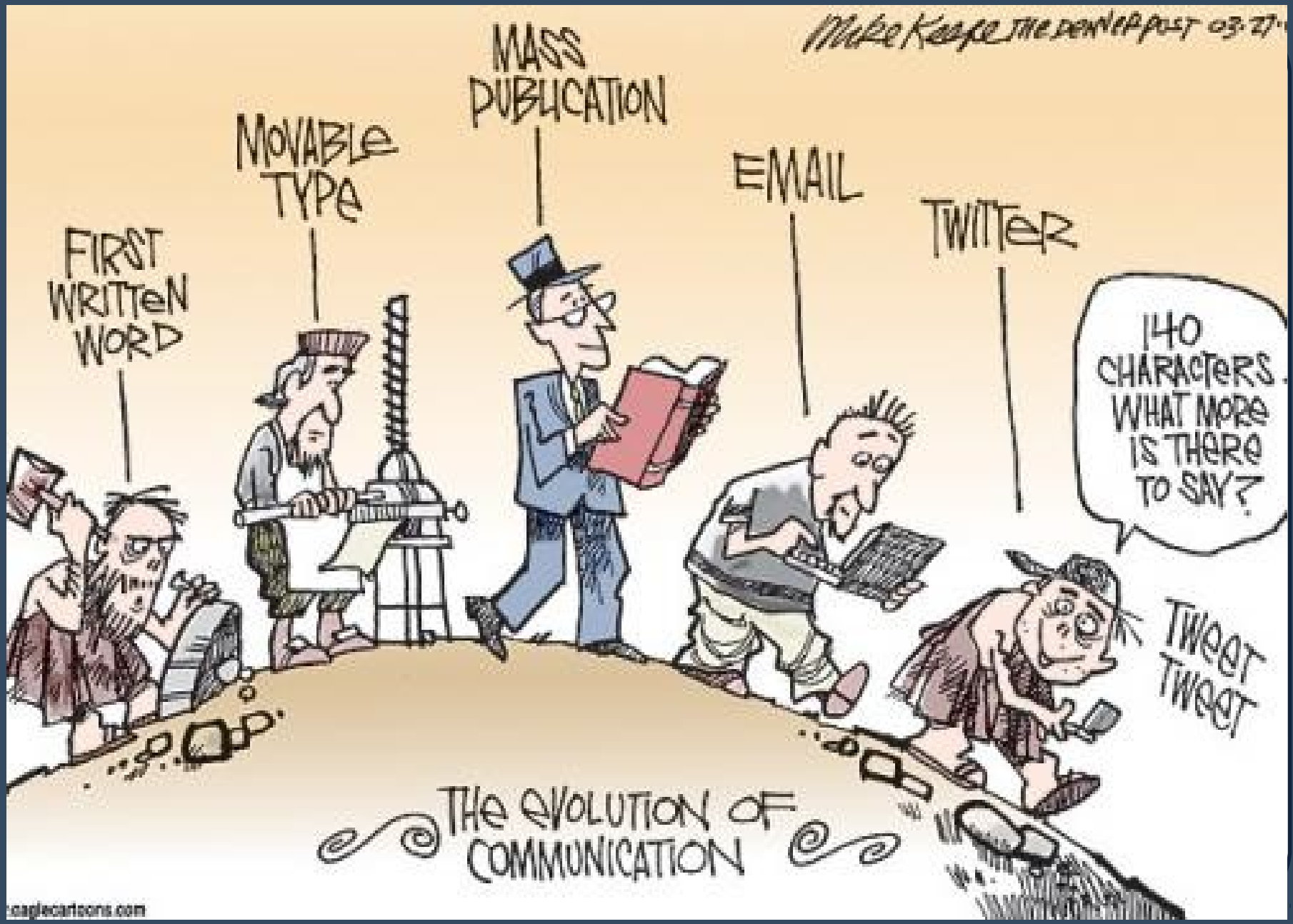
The purpose of this training is to help you recognize:

What civil liberties are.

What the DoD Civil Liberties Program does.

Where to go if you have questions or need more information about civil liberties.

Cartoon


Mike Keefe The Denver Post 03-27
FIRST WRITTEN WORD
MOVABLE TYPE
MASS PUBLICATION
EMAIL
TWITTER
140 CHARACTERS. WHAT MORE IS THERE TO SAY?
TWEET TWEET
THE EVOLUTION OF COMMUNICATION
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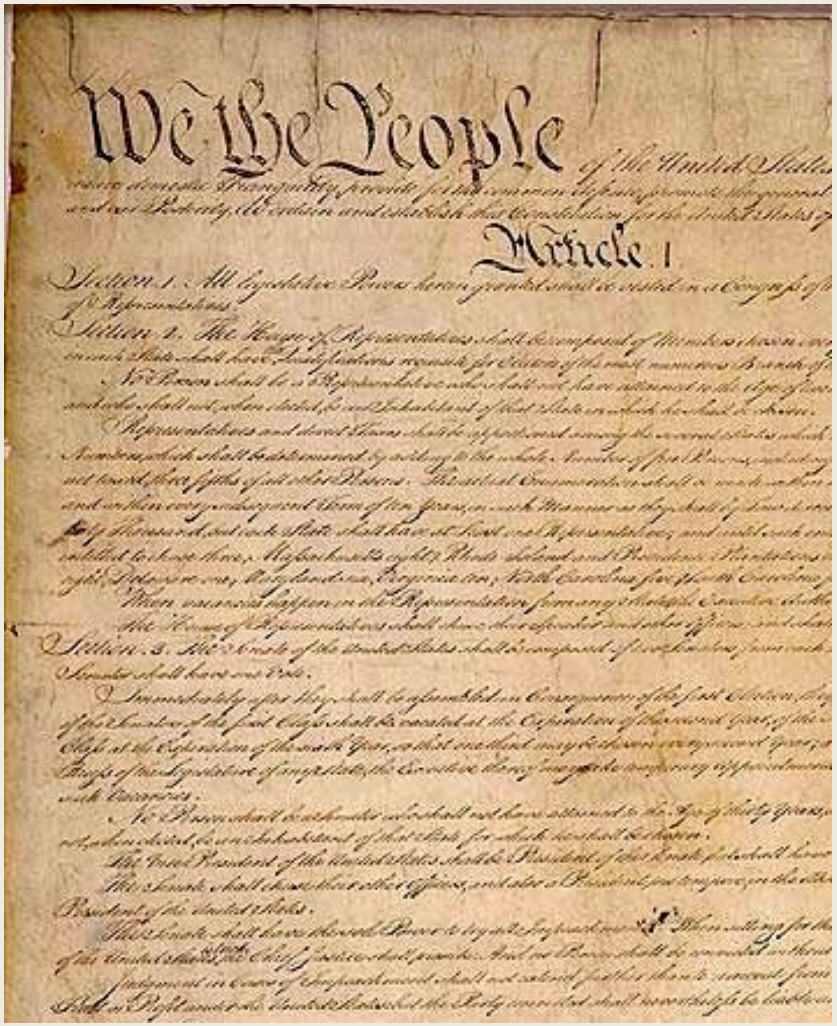
What Are Civil Liberties?

Civil Liberties

Civil Liberties

The Bill of Rights



The Bill of Rights

Amendments

In the next few slides, we'll discuss a few amendments in more detail.

Click the tabs below to learn more about the first ten amendments (Bill of Rights).

1st Amendment

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

2nd Amendment

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

3rd Amendment

"No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law."

4th Amendment

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

5th Amendment

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation."

6th Amendment

"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

7th Amendment

"In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law. "

8th Amendment

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

9th Amendment

"The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people."

10th Amendment

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

First Amendment

First amendment

Here are some examples of civil liberties protected by the First Amendment.

Click on the tabs below to learn about rights and freedoms protected by the First Amendment.

Religion | Speech | Press | Assembly and Petition

Freedom of Religion

Freedom of Religion

The First Amendment states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

Freedom of Religion

Religion | Speech | Press | Assembly and Petition

Freedom of Speech

Freedom of Speech

The freedom of speech is generally protected from government restriction, with the exception of limited types of speech, such as obscenity, defamation, incitement to violence, and fighting words, for example. This includes abstaining from reciting the pledge of allegiance, and the use of certain offensive words or phrases to convey a political message.

Freedom of Speech

Religion | Speech | Press | Assembly and Petition

Freedom of the Press

Freedom of the Press

The freedom of the press generally provides protection against government regulation or censorship of publications. In exceptional cases (for example, war, obscenity, incitements to acts of violence, or the overthrow by force of orderly government) the government may limit this freedom.

Peaceable Assembly and Petition the Government

Right to Peaceable Assembly and to Petition the Government

The freedom of assembly is the right of people to gather peacefully without fear of government interference, to include petitioning the government for a redress of grievances. It is broad enough to protect unpopular assemblies that often offend or outrage citizens.

Right to Peaceable Assembly and to Petition the Government

Religion | Speech | Press | Assembly and Petition

Second Amendment

Right to keep and bear arms

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Fourth Amendment

Right to be free from unreasonable search and seizure

Civil Liberties Daily Application

Introduction

Individuals exercise civil liberties within the Department of Defense. Please click on the images on this slide to learn more about how individuals exercise civil liberties.

On-base chapel

Military Police

Civil Liberties Application

Introduction

On-base chapel

The First Amendment protects the free exercise of religion. Service members may practice their religion, to include the expression of religious beliefs, so long as they obey lawful orders and do not make statements that are detrimental to good order and discipline.

Military Police

Civil Liberties Daily Application

Introduction

On-base chapel

Military Police

Your civil liberties apply when interacting with Military Police (MPs). MPs must carry out their duties in accordance with the Constitution of the United States and all applicable laws and policies. For example, MPs must comply with the Fourth Amendment while conducting searches of privately owned vehicles (POVs) on-base.

Background Information

9/11 Commission Report Recommendations

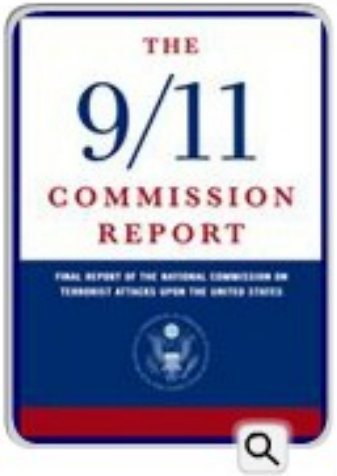
Public Law 110-53 Implementation

Public Law 110-53's Requirements

Introduction

This slide provides an overview of the history leading up to the creation of the DoD Civil Liberties Program.

Click the tabs on the left for additional information.



Background Information

- 9/11 Commission Report Recommendations
- Public Law 110-53 Implementation
- Public Law 110-53's Requirements

9/11 Commission Report Recommendations

The 9/11 Commission report issued several recommendations related to increased information sharing across Government agencies, and protections for civil liberties.

Background Information

9/11 Commission Report Recommendations

Public Law 110-53 Implementation

Public Law 110-53's Requirements

Public Law 110-53 Implementation

Public Law 110-53 implemented the 9/11 Commission's recommendations, turning these recommendations into statutory requirements.

Background Information

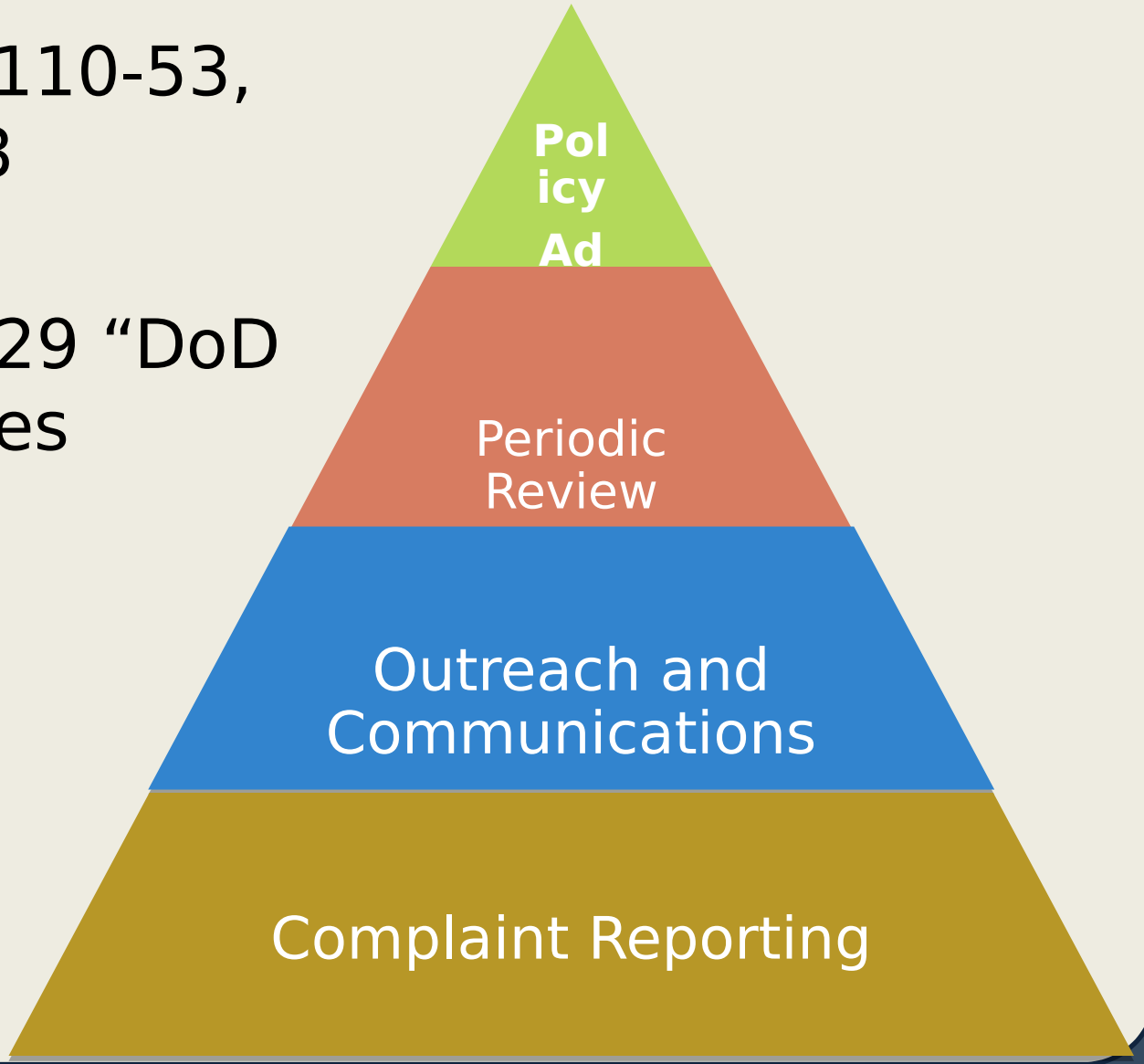
- 9/11 Commission Report Recommendations
- Public Law 110-53 Implementation
- Public Law 110-53's Requirements

Public Law 110-53's Requirements

Public Law 110-53 requires DoD and seven other federal agencies to adequately consider civil liberties in its activities.

Authority and Requirements

- Public Law 110-53, Section 803
- DoDI 1000.29 “DoD Civil Liberties Program”



Civil Liberties Principles

Principle One

Principle Two

Principle Three

Principle Four

What are Civil Liberties Principles?

DoD's Civil Liberties Principles reflect DoD policy related to civil liberties.

Click the tabs on the left for more information.

Civil Liberties Principles

Principle One

Principle Two

Principle Three

Principle Four

Principle One

Civil liberties are fundamental rights and freedoms protected by the Constitution of the United States.

Civil Liberties Principles

Principle One

Principle Two

Principle Three

Principle Four

Principle Two

The Department of Defense will protect the civil liberties of its personnel and the public to the greatest extent possible, consistent with its operational requirements.

Civil Liberties Principles

Principle One

Principle Two

Principle Three

Principle Four

Principle Three

The Department of Defense will appropriately consider civil liberties in the review, development, and implementation of new or existing laws, regulations, policies, and initiatives related to homeland defense, intelligence collection, and law enforcement activities.

Civil Liberties Principles

Principle One

Principle Two

Principle Three

Principle Four

Principle Four

No information shall be maintained on how an individual exercises rights protected by the First Amendment to the Constitution of the United States, including the freedoms of speech, assembly, press, and religion, except as follows:

- When specifically authorized by statute
- When expressly authorized by the individual about whom the record is maintained
- When the record is pertinent to and within the scope of an authorized law enforcement, intelligence collection, or counter intelligence activity.

DoD Civil Liberties Program

Let's take a look at DPCLO's mission statement.

Click on the DPCLO label in the center of the diagram to begin.

DoD Civil Liberties Program

DPCLO Mission

The mission of the DPCLO is to implement the Department of Defense's Privacy and Civil Liberties programs through advice, monitoring, official reporting and training.

Click on the other labels for additional information.

DoD Civil Liberties Program

Advice

DPCLO is responsible for assisting and advising the Secretary and the Department in appropriately considering civil liberties when proposing, developing, or implementing laws, regulations, policies, procedures, or guidelines.

DoD Civil Liberties Program

Monitoring

DPCLO is responsible for ensuring the periodic investigation and review of policies, procedures, guidelines, and related laws and their implementation to ensure that the Department is adequately considering privacy and civil liberties in its actions. One way the DoD Civil Liberties Program is fulfilling that requirement is by reviewing all DoD issuances and re-issuances to ensure they appropriately consider civil liberties.

DoD Civil Liberties Program

Official Reporting

In compliance with Section 803 of Public Law 110-53, DPCLO submits reports to Congress quarterly and upon request. Congress is primarily interested in knowing if DoD is appropriately considering civil liberties in its actions, and what steps DoD is taking to do so.

DoD Civil Liberties Program

Training

DPCLO has begun rolling out civil liberties training throughout the Department. The goal is to increase the DoD workforce's awareness of civil liberties, and to ensure that complaint processors and other key players are prepared to respond to civil liberties inquiries.

CCLO and POC Roles and Responsibilities

Component Chief Civil Liberties Officers

Primary Civil Liberties POCs

Introduction

DoD relies on civil liberties POCs throughout the Department to implement the DoD Civil Liberties Program at their respective components. Each component has designated one or two POCs to work on civil liberties issues.

Click the tabs to learn more about the roles and responsibilities of the designated POCs.

CCLO and POC Roles and Responsibilities

Component Chief Civil Liberties Officers

Primary Civil Liberties POCs

Component Chief Civil Liberties Officers

The Chief Civil Liberties Officer (CCLO) is someone who has:

- The authority to direct the component's compliance with Public Law 110-53, and
- The authority to act on behalf of the component.

While not a requirement, the CCLO is typically a senior executive (SES) or a flag officer.

CCLO and POC Roles and Responsibilities

Component Chief Civil Liberties Officers

Primary Civil Liberties POCs

Primary Civil Liberties POCs

The Primary Civil Liberties POC interfaces with the DPCLO to establish the component's training needs, and establish procedures to ensure the component's compliance with Public Law 110-53's requirements.

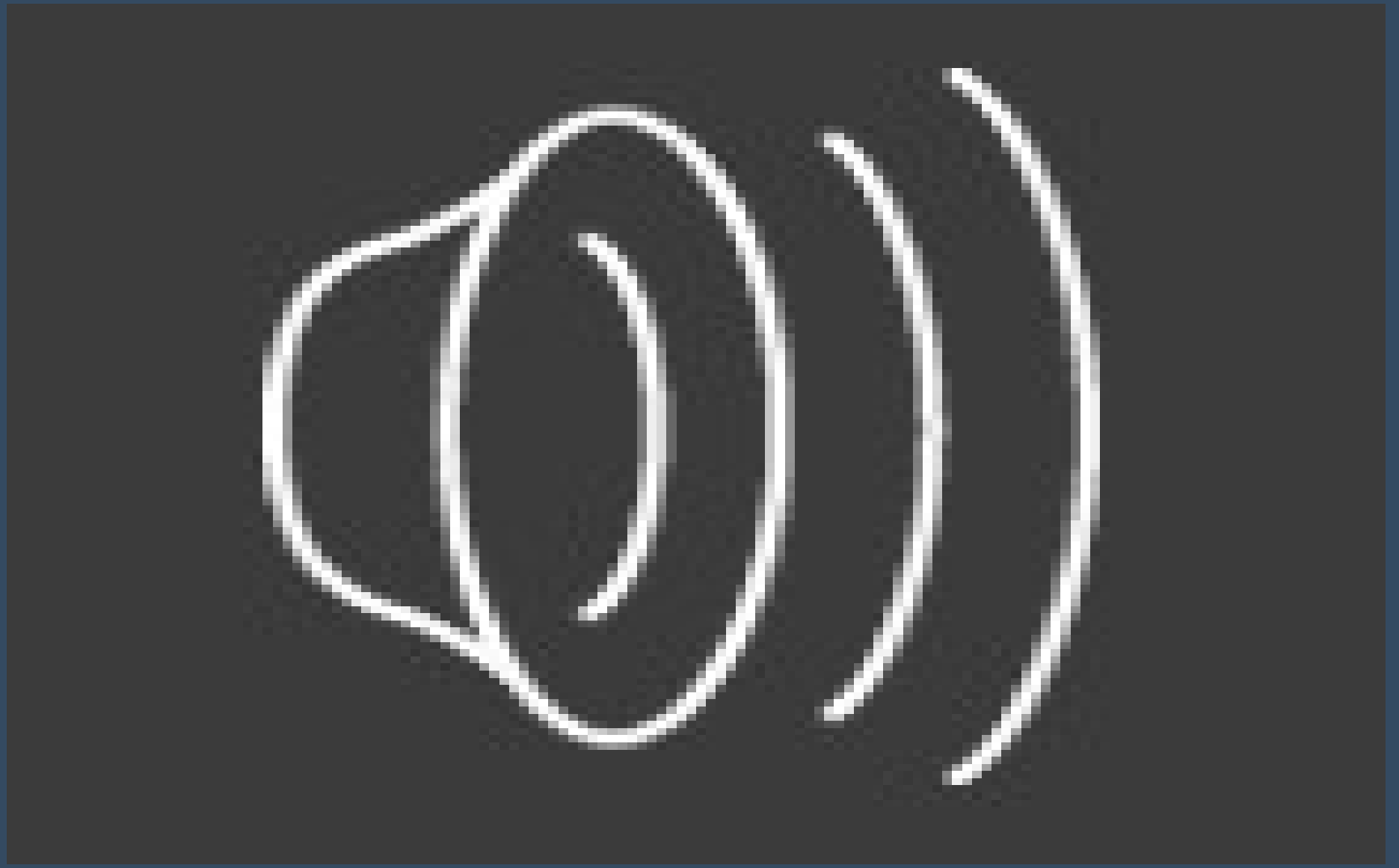
The Primary POC's responsibilities include, for example, drafting and submitting a Component Civil Liberties Report each quarter.

Video Simulation

The video that follows is a simulation of a complaint reported to a Complaint Processor and the result of the investigation.

- Does the concern raise a civil liberties issue?
- What civil liberty is discussed?
- Is there a civil liberties violation?

Video Simulation



Video Simulation Outcome

The complainant **has** raised a First Amendment, Freedom of Religion issue.

A Service member should **not** be punished for participating or not participating in a religious activity.

Test Your Knowledge

Civil Liberties Awareness Quiz

True or False. Select the best answer.

The first 10 amendments are called the Bill of Rights.

a) True

b) False

Civil Liberties Awareness Quiz

ANSWER: a) True

Civil Liberties Awareness Quiz

Multiple Choice. Select the best answer.

Which of these is **NOT** a First Amendment freedom?

a) Freedom of religion

b) Freedom of speech

c) Freedom of employment

d) Freedom of press

Civil Liberties Awareness Quiz

ANSWER: c) Freedom of employment

Freedom of speech, religion, and press are protected by First Amendment.

Civil Liberties Awareness Quiz

True or False. Select the best answer.

The Bill of Rights was drafted as part of the Declaration of Independence.

a) True

b) False

Civil Liberties Awareness Quiz

ANSWER: b) False

The Bill of Rights was drafted during ratification of the Constitution and came into effect in 1791, 15 years after the signing of the Declaration of Independence.

Civil Liberties Awareness Quiz

Multiple choice. Select the best answer.

What are Civil Liberties?

a) A set of restrictions on the Government.

b) Fundamental rights and freedoms protected by the Constitution of the United States.

c) Rights and freedoms that include freedom of speech, freedom of religion, freedom of the press, freedom against unreasonable search and seizure, and others.

d) All of the above.

Civil Liberties Awareness Quiz

ANSWER: d) All of the above

Civil Liberties Awareness Quiz

Multiple choice. Select the best answer.

The Department of Defense will protect the civil liberties of its personnel and the public:

a) Absolutely.

b) To the greatest extent possible, consistent with its operational requirements.

c) At CONUS military installations only.

Civil Liberties Awareness Quiz

ANSWER: b) To the greatest extent possible, consistent with its operational requirements.

According to DoD policy and DoD's Civil Liberties Principles, the Department of Defense will protect the civil liberties of its personnel and the public to the greatest extent possible, consistent with its operational requirements.

Civil Liberties Awareness Quiz

Multiple choice. Select the best answer.

Under Public Law 110-53 DoD requirements include:

a) Reporting civil liberties complaints, outreach and communications and policy advice.

b) Intelligence oversight.

Civil Liberties Awareness Quiz

ANSWER: a) Reporting civil liberties complaints, outreach and communications and policy advice.

Under Public Law 110-53, DoD is required to assist the Secretary of Defense in appropriately considering privacy and civil liberties; to ensure that the Department has adequate procedures to address complaints alleging civil liberties violations; to report to Congress on a quarterly basis; and to inform the public about the activities of the DoD Civil Liberties Program. Public Law 110-53 does not require DoD to provide intelligence oversight as part of the DoD Civil Liberties Program.

Civil Liberties Awareness Quiz

Multiple Choice. Choose the best answer.

If you have questions about civil liberties at DoD, you should contact:

a) The Defense Privacy and Civil Liberties Office (DPCLO)

b) The DHRA CCLO or DHRA PCLPOC

c) Your component's Civil Liberties POC

d) All of the above

Civil Liberties Awareness Quiz

ANSWER: d) All of the above.

If you have questions about civil liberties at DoD, you may contact the Defense Privacy and Civil Liberties Office (DPCLO), the DHRA CCLO or DHRA PCLPOC, or your component's Civil Liberties POC, or All of the Above.

Course Wrap-Up

1. Civil Liberties are rights and freedoms protected by the Constitution of the United States.

2. DoD will protect the civil liberties of its personnel and the public to the greatest extent possible, consistent with its operational requirements.

3. When in doubt, reach out to:
   - .Component Civil Liberties POC
   - . DHRA CCLO or DHRA PCLPOC or
   - . DPCLO

Need Assistance?

CONTACT THE DHRA CCLO or PCLPOC

Defense Human Resources Activity (DHRA)

4800 Mark Center Drive, Suite 06J25-01

Alexandria, VA 22350-4000

(571) 372-1971

http://www.dhra.mil

CERTIFICATE OF COMPLETION

Has completed

DPCLO's

Civil Liberties Awareness Training

9/11/16

POC Signature

Participant Signature